

7-20

A 350051

Certified, Filed and or Recorded on
JULY 20, 2007 AT 12:36PM

Signed: 
MARILYN J NOVAK G V I
BENTON COUNTY MINNESOTA
MARILYN J NOVAK
COUNTY RECORDER

BENTON COUNTY ORDINANCE NO. 412
Wind Energy Conversion Systems

WHEREAS, the Benton County Department of Development instituted proceedings to amend the Benton County Ordinance 185; and,

WHEREAS, on June 27th and 28th, 2007, Notice of Public Hearing and intent to amend Benton County Ordinance was published in the official newspapers of the county; and,

WHEREAS, on July 12, 2007, the Benton County Planning Commission held a public hearing and recommended approval of the proposed ordinance; and,

WHEREAS, on July 17, 2007, the Benton County Board of Commissioners held a public hearing and approved the proposed ordinance amendment; and,

NOW PURSUANT TO THE AUTHORITY VESTED BY MINNESOTA STATUTES SECTION 394.25, THE BENTON COUNTY BOARD OF COMMISSIONERS ORDAINS: that Sections 7 and 9 of the Benton County Ordinance 185 be amended as follows:

Add "Wind energy conversion systems in accordance with Section 9.16" to Sections 7.2A.20, 7.3.2, 7.4.2, 7.5.2, 7.6.2, 7.6A.3, 7.7.2, 7.8.2 of the Development Code.

Modify Section 9.16 par 2 to read as follows:

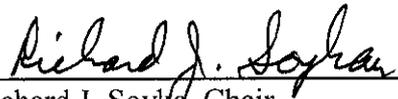
"2. The permitted height of a WECS shall be the ratio of one to one between the distance from the closest property line to any part of the WECS to the height of the tower or the height deemed appropriate by the Planning Commission."

Add letter f to Section 9.16 par 2 to read as follows:

"f. A WECS shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other state or federal authority for a WECS.

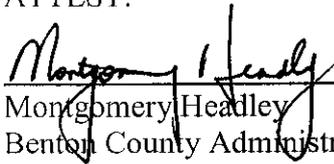
DOD

Approved and adopted by the Benton County Board of Commissioners this 17th day of July in the year of 2007.



Richard J. Soyka, Chair
Benton County Board of Commissioners

ATTEST:



Montgomery Headley
Benton County Administrator

Benton County News

Legals - Job Work - Advertising
FOLEY, MINNESOTA 56329

PUBLIC NOTICE
Affidavit of Publication

January 1, 2007

STATE OF MINNESOTA
COUNTY OF BENTON

Ronald Youso, being duly sworn, on oath, says that he/she is the publisher or authorized agent and employee or the publisher of the newspaper known as the **Benton County News**, and has full knowledge of the facts which are stated below:

A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper as proved by Minnesota Statute 331A.02, 331 A.07, and other applicable laws as amended.

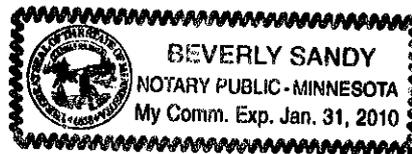
B) The printed Ordinance 412 which is attached was cut from the columns of said newspaper, and was printed and published once a week for 1 successive weeks; it was first published on Tuesday, the 24th day of July, 2007; and was thereafter printed and published on every Tuesday, to and including Tuesday, the _____ day of _____; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice: abcdefghijklmnopqrstuvwxyz

BY: Ronald Youso
Ronald Youso, Editor/Owner

Subscribed & sworn to before me on this

24th day of July, 2007

Beverly Sandy
Notary Public



RATE INFORMATION: (1 COL. 8 PT)

\$1.10 (line, word or inch) _____

\$.80 (line, word or inch) _____

TOTAL COST _____

(2 COL. 8 PT)

\$1.85 (line, word or inch) _____

\$1.25 (line, word or inch) _____

TOTAL COST _____

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Approved and adopted by the Benton County Board of Commissioners this 17th day of July in the year of 2007.

Richard J. Soyka, Chair
Benton County Board
of Commissioners

ATTEST: Montgomery Headley
Benton County Administrator

July 24, 2007